GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:547
ANSWERED ON:02.12.2015
Indian Soldiers in Pakistan Jails
Adityanath Shri Yogi;Roy Prof. Saugata

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether several Indian soldiers including prisoners of war are languishing in Pakistan jails;

(b) if so, the details thereof;

(c) whether several Indian soldiers were also allegedly tortured to death in Pakistan during the Kargil war;

(d) if so, whether the Government is contemplating to take up these matters in the International Court of Justice; and

(e) the steps being taken by the Government for the release of these soldiers from Pakistan jails?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS
[GEN. (DR) V. K. SINGH (RETD)]

(a), (b) & (e) According to available information, 74 missing defence personnel are believed to be in Pakistan's custody, including 54 since 1971. Government has repeatedly taken up the matter with the Government of Pakistan through diplomatic channels and during high-level contacts, for their release. However, Pakistan does not acknowledge the presence of any Indian missing defence personnel in its custody.

(c) Yes.

(d) Government of India has conventionally held the position that India and Pakistan cannot invoke the compulsory jurisdiction of the International Court of Justice in relation to disputes concerning armed conflicts, hostilities etc. as both are members of the Commonwealth of Nations. However, this position has been reviewed. Subject to Supreme Court's pronouncement in an ongoing matter in the Court, Government would be open to invoking the jurisdiction of the International Court of Justice.